

ZB# 02-38

Thomas Riley

20-1-8

#02-38- Riley, Thomas

Area 20-1-8

| |
|-------------------------|
| <u>Inclem.</u> |
| June 24, 2002. |
| <u>Public Hearing:</u> |
| Aug. 12, 2002. |
| Wanted |
| <u>Refund: \$207.50</u> |





APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Riley, Thomas

FILE# 02-38

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 6/24/02 \$ 9.00
2ND PRELIMINARY- PER PAGE .. 8/12/02 \$ 13.50
3RD PRELIMINARY- PER PAGE \$
PUBLIC HEARING - PER PAGE \$
PUBLIC HEARING (CONT'D) PER PAGE \$
TOTAL \$ 22.50

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 6/24/02 \$ 35.00
2ND PRELIM. 8/12/02 \$ 35.00
3RD PRELIM. \$
PUBLIC HEARING \$
PUBLIC HEARING (CONT'D) \$
TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 92.50

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT .. \$ 207.50


Paid Ck. #297 7/3/02
Paid Ck. #298 7/3/02

DENA B. BEECKEN
THOMAS RILEY
9 BROAD ST.
NEW WINDSOR, NY 12553

297

Date 7/3/02

50-7131/2219

Pay to the
Order of Town of New Windsor \$ 50⁰⁰/₁₀₀
fifty 00/₁₀₀ Dollars 

Walden
SAVINGS **bank** New Windsor Office
213 Quackenbush Ave.
New Windsor, NY 12553

For 28A #02-38 Dona Beecken MP

⑆226976366⑆06 08 003277⑈ 0297

©Charles A. American

GUARDIAN® SAFETY GREEN WOOD

DENA B. BEECKEN
THOMAS RILEY
9 BROAD ST.
NEW WINDSOR, NY 12553

298

Date 7/3/02

50-7131/2219

Pay to the Order of Town of New Windsor \$ 300⁰⁰/₁₀₀
three hundred — ⁰⁰/₁₀₀ Dollars

walden
SAVINGS **bank**

New Windsor Office
213 Quaker Ave.
New Windsor, NY 12553

For ZBA # 02-38

Dona Bowker

⑆221971316⑆06 08 003277⑆ 0298

©Circle America

GUARDIAN® SAFETY GREEN INK

Date 9/11/02 ,

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Thomas Riley DR.
9 Broad Street, New Windsor, Ny 12553

[illegible]

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#602-2002

07/05/2002

Beecken, Dena B. #02-38
9 Broad Street
New Windsor, New York 12553

Received \$ 50.00 for Zoning Board Fees on 07/05/2002. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

-----X
In the Matter of the Application of

THOMAS RILEY

MEMORANDUM
OF DECISION
GRANTING
VARIANCE

#02-38.
-----X

WHEREAS, THOMAS RILEY, 9 Broad Street, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 14 ft. front yard variance for construction of a covered porch at the above single-family residence in an R-4 zone; and

WHEREAS, a public hearing was held on the 12th day of August, 2002 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property located in a neighborhood of residential properties.

(b) The residence is smaller in size as compared to other neighboring homes in the area.

(c) The residence is located on the lower-flat portion of the street so that when the porch is constructed in the front of the residence, there will be no obstruction of view.

(d) There are similar front porches in the neighborhood, some of which protrude further into the front yard than Applicant's residence.

(e) Applicant states that there is a safety hazard, which will be prevented when stepping out the front door if the proposed porch is not allowed to be constructed.

(f) No runoffs or water hazards will be created by the construction of the proposed porch.

(g) The construction of the proposed porch will not cause the ponding or collection of water, nor will any trees be eliminated

(h) The proposed porch will not be built on top of any water or sewer easements.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant that can produce the benefits sought.

3. The variance requested is substantial in relation to the Town regulations, but nevertheless is warranted.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The interests of justice will be served by allowing the granting of the requested area variance.

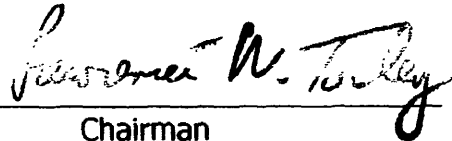
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 14 ft. front yard variance for construction of a covered porch, at the above residence, in an R-4 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: October 28, 2002.


Chairman

Date 9/9/02

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth
168 N. Drury Lane DR.
Newburgh, N.Y. 12550

| DATE | | | CLAIMED | ALLOWED |
|-------|--|------------------|---------|---------|
| 12/02 | | Zoning board Mtg | 75 00 | |
| | | Misc - 2 | | |
| | | Sturtz - 1 | | |
| | | Lebron - 1 | | |
| | | Raden - 1 | | |
| | | G.M.H. - 8 | | |
| | | Hiley - 3 | | |
| | | Thom - 4 | | |
| | | Louano - 3 | | |
| | | Puglio - 2 | 112 50 | |
| | | 25 | | |
| | | | 187 50 | |

PUBLIC HEARINGS

RILEY/BEECKAN

MR. KANE: Request for 14 ft. front yard variance for construction of porch with roof at 9 Broad Street in R-4 zone.

Mr. Tom Riley appeared before the board for this proposal.

MR. KANE: Tell us what you want to do.

MR. RILEY: I need a variance for a front porch, I want to come out with the front porch 6 feet, house as it sits now I believe is passed where it's supposed to be. I have to have 27 feet, I want, it would be 21, I have pictures of the houses next to it that are out further than my house probably about by 4 feet and the house is on the street behind my house.

MR. KANE: How is this similar in size to other houses in the neighborhood?

MR. RILEY: Little bit smaller.

MR. KRIEGER: Other houses that extend further toward the road, will that be the case, if this is permitted to be constructed, the porch, will there still be people closer to the road or will you now be closer to the road?

MR. RILEY: There's a house up the street, someone just built a 6 x 8 porch that I guess you don't need a variance and that's definitely closer than my house. I sit down below, my yard is below the yard next to mine, it's not that I'm blocking anybody from above me, there's a considerable drop, even the house next to mine is out passed mine, the house passed it is out further and the one passed that is out further.

MR. KANE: The other consideration for the porch on the front is stepping out the front door would be a safety hazard without it, obviously?

MR. RILEY: Yeah.

MR. KANE: You're going to be creating any runoffs or water hazards in building this deck?

MR. RILEY: No.

MR. KANE: Any cutting down of trees?

MR. RILEY: No.

MR. KANE: Crossing any easements?

MR. RILEY: Water lines, something like that or what's an easement exactly?

MR. KANE: That's where somebody has a right-of-way.

MR. RILEY: No.

MR. BABCOCK: There's a survey in the file and there's no easements shown in that area.

MR. KANE: Thank you, Michael. Gentlemen, do you want to open it up?

MR. KRIEGER: How's your lot serviced, water, do you have well or septic?

MR. RILEY: I have water, town water.

MR. KRIEGER: Town sewer?

MR. RILEY: Yes.

MR. KANE: Open it up to the public at this point. Is there anybody in the public that wishes to speak on this issue? No? So we'll close it up. Gentlemen, any questions? Just for the record, we sent out 54 addressed envelopes and none returned. Okay, Mike?

MR. REIS: Accept a motion?

MR. KANE: Yes.

August 12, 2002

15

MR. REIS: Make a motion that we pass Riley/Beeckan requested variance for 9 Broad Street.

MR. RIVERA: Second it.

ROLL CALL

| | |
|------------|-----|
| MR. RIVERA | AYE |
| MR. REIS | AYE |
| MR. KANE | AYE |

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
June 24, 2002
#02-38.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 5/31/02

APPLICANT: Thomas Riley
9 Broad Street
New Windsor, NY 12553

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Proposed 6x35 front porch with roof

LOCATED AT: 9 Broad Street

ZONE: R-4 Sec/ Blk/ Lot: 20-1-8

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed 6ft front porch will not meet minimum 35ft front yard set-back.


BUILDING INSPECTOR

PERMITTED 35ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: E-7

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

21ft

14ft

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be re-inspected after correction.

RECEIVED

MAY 30 2002

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:

Building Permit #: 2002-561

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

Tom Riley Debra Beecken

Address

9 Broad St

Phone #

569-9577

Mailing Address

Fax #

Name of Architect

Charles Brown Taconic Design

Address

1 GARDNER TOWN RD

Phone

569 8400

Name of Contractor

MISLIF

Address 9 Broad st Phone 569 9577

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer _____
(Name and title of corporate officer)

1. On what street is property located? On the _____ side of 9 Broad st
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N ☒

3. Tax Map Description: Section 20 Block 1 Lot 8

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee \$50.00

PAID

\$50 - CH# 264

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Krysheer
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

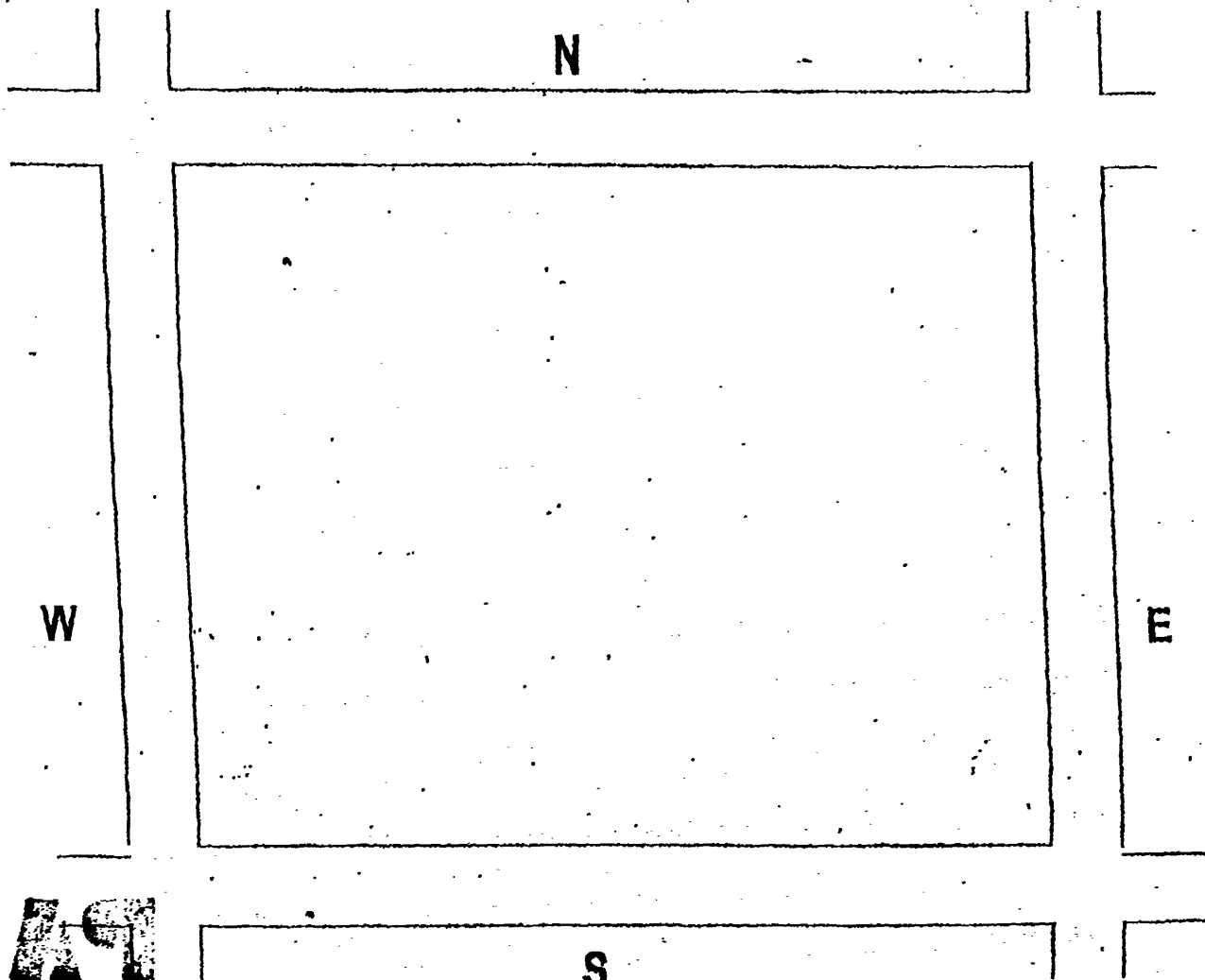
9 Broad St
(Address of Applicant)

(Owner's Signature)

✓ ✓
PLOT PLAN

(Owner's Address)

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



CHART

STREET

AVENUE

STREET

QUEEN

1725

31

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

-----X

In the Matter of the Application for Variance of

Thomas Ricky Pena Beckan,

02-38.

AFFIDAVIT OF
SERVICE
BY MAIL

-----X

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

Patricia A. Corsetti, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside in New Windsor, Orange County, N. Y.

That on the 8th day of July, 2002, I compared the 54 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Patricia A. Corsetti

Sworn to before me this

____ day of _____, 20____.

Notary Public

Date 7/24/02

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

| DATE | | | CLAIMED | ALLOWED |
|---------|--|-------------------------|---------|---------|
| 6/24/02 | | Zoning Board Mte | 75 00 | |
| | | Misc. - 2 | | |
| | | Erden - 5 | | |
| | | Billik - 2 | | |
| | | Riley - 2 \$9.00 | | |
| | | Yankers Contracting - 3 | | |
| | | Yhnaggs - 4 | | |
| | | Hochan - 8 | | |
| | | Colandrea - 3 | | |
| | | Corbett - 2 | | |
| | | Traver - 21 | 234 00 | |
| | | 52 | | |
| | | | 309 00 | |

RILEY, THOMAS

MR. TORLEY: Request for 14 ft. front yard variance for proposed porch at 9 Broad Street in an R-4 zone.

Mr. Thomas Riley appeared before the board for this proposal.

MR. RILEY: Those are houses that are next to mine and all the houses next to me go above so he wouldn't be blocking anybody's view and I believe that says I'm only coming out 6 feet so that would be 15 feet here because it says proposed available.

MR. TORLEY: You need 35 foot front yard and you're proposing 21 foot so that's 14 foot.

MR. RILEY: It says it's 30.

MR. TORLEY: I don't remember if we granted a variance at some point for this property that this house is on. The design of this looks familiar for one, I had, my memory could be faulty, I'm just trying to remember. I will ask Pat if there's a history on this.

MR. RILEY: I don't think because there's nothing added on to the house, that house is the way it was when we bought it.

MR. TORLEY: You're just going to be adding on here?

MR. RILEY: No, I'm going up and out, but I only need the variance for the front porch, everything else fits.

MR. REIS: You won't be going over any easements, water or sewer lines?

MR. RILEY: No.

MR. TORLEY: Not going to be changing the drainage of water?

MR. RILEY: No, I'm just, no.

MR. TORLEY: And this addition to your house, will this

put the front of your house markedly closer to the road than the other houses in the neighborhood?

MR. RILEY: There's pictures of the house, well, I'm a little bit, but not really, if you go on my road, the road behind me Silver Springs, they're five feet away.

MR. TORLEY: Those are the kinds of things we need in the public record.

MR. RILEY: Like I said, the houses above me are passed my house.

MR. REIS: Accept a motion?

MR. TORLEY: Yes.

MR. REIS: Make a motion that we set up Thomas Riley for his requested variance at 9 Broad Street.

MR. MC DONALD: Second it.

ROLL CALL

| | |
|---------------|-----|
| MR. REIS | AYE |
| MR. MC DONALD | AYE |
| MR. TORLEY | AYE |

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 38.

Request of Thomas Riley and Dena Beecken.

for a VARIANCE of the Zoning Local Law to Permit:

construction of porch w/ roof w/ less than the
allowable front yard;

being a VARIANCE of Section 48-12 - Table of Use/Bulk Regs. -
Col. E

for property situated as follows:

9 Broad Street, New Windsor, NY.

known and designated as tax map Section 20, Blk. 1 Lot 8

PUBLIC HEARING will take place on the 12th day of August,
2002 at the New Windsor Town Hall, 555 Union Avenue, New Windsor,
New York beginning at 7:30 o'clock P.M.

Lawrence Torley

Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

June 27, 2002

54

Dena Beecken
Tom Riley
9 Broad Street
New Windsor, NY 12553

Re: 20-1-8

Dear Ms. Beecken & Mr. Riley:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/srr
Attachments

CC: Pat Corsetti, ZBA

1-91
Greg & Cristina Fischer
3126 Rte. 9W South
New Windsor, NY 12553

17-4-16 & 17-4-17
Ersilia Sidoli
3115 NYS Rte 9W
New Windsor, NY 12553

17-4-18
Hugo Dubaldi
3111 NYS Rte 9W
New Windsor, NY 12553

17-4-19
Lester & Carmella Johnson
2 Broad Street
New Windsor, NY 12553

17-4-20
Leslie Anne Clark
4 Broad Street
New Windsor, NY 12553

17-4-21
Leonard Clemente
6 Broad Street
New Windsor, NY 12553

17-4-22
Allen Biasi
240 Leslie Avenue
New Windsor, NY 12553

17-4-23
Joseph & Lillian Monte
10 Broad Street
New Windsor, NY 12553

17-4-24
County of Orange
255-275 Main Street
Goshen, NY 10924

17-4-25
Irene Parisi
5 Fanewood Drive
New Windsor, NY 12553

17-4-26
Joseph & Olga Parisi
7 Fanewood Drive
New Windsor, NY 12553

17-4-30.2
Patricia Naclerio
1063 Washington Green
New Windsor, NY 12553

17-4-33
Joseph Magliato
8 Fanewood Drive
New Windsor, NY 12553

17-4-34
Ellen Holdsworth
16 Broad Street
New Windsor, NY 12553

17-4-35
Gloria & Leonard Palchus
2 Fanewood Drive
New Windsor, NY 12553

17-4-36
Richard & Lisa Marie Bonita
18 Broad Street
New Windsor, NY 12553

17-4-37
John & Melini Caldwell
20 Broad Street
New Windsor, NY 12553

17-4-38
Robert & Dorothy Placek
26 Richardson Drive
Cornwall, NY 12518

20-1-1
City School District of Newburgh
98 Grand Street
Newburgh, NY 12550

20-1-2
Anna Mary White
21 Broad Street
New Windsor, NY 12553

20-1-3
Douglas Young & Cambell
19 Broad Street
New Windsor, NY 12553

20-1-4
Charles Ruscelli Jr. & Darlene Cass
651 South Street
Newburgh, NY 12550

20-1-5
Mary Elizabeth Fama
13 Broad Street
New Windsor, NY 12553

20-1-6
Charles Denny Jr.
13 Broad Street
New Windsor, NY 12553

20-1-7
Elissa Zahn
11 Broad Street
New Windsor, NY 12553

20-1-9
Anne O'Boy
7 Broad Street
New Windsor, NY 12553

20-1-10
Paul & Lori Mott
5 Broad Street
New Windsor, NY 12553

20-1-11
Tracey Meyers
3 Broad Street
New Windsor, NY 12553

20-1-12
Edward Jr. & Elizabeth Kirwan
15 Queen Street
New Windsor, NY 12553

20-1-13
Duane & Patricia Damanda
11 Queen Street
New Windsor, NY 12553

**RETAKE
OF
PREVIOUS
DOCUMENT**

9-1-91

Greg & Cristina Fischer
3126 Rte. 9W South
New Windsor, NY 12553



17-4-26

Joseph & Olga Parisi
7 Fanewood Drive
New Windsor, NY 12553



20-1-3

Douglas Young & Cambell
19 Broad Street
New Windsor, NY 12553



17-4-16 & 17-4-17

Ersilia Sidoli
3115 NYS Rte 9W
New Windsor, NY 12553



17-4-30.2

Patricia Naclerio
1063 Washington Green
New Windsor, NY 12553



20-1-4

Charles Ruscelli Jr. & Darlene Cass
651 South Street
Newburgh, NY 12550



17-4-18

Hugo Dubaldi
3111 NYS Rte 9W
New Windsor, NY 12553



17-4-33

Joseph Magliato
8 Fanewood Drive
New Windsor, NY 12553



20-1-5

Mary Elizabeth Fama
13 Broad Street
New Windsor, NY 12553



17-4-19

Lester & Carmella Johnson
2 Broad Street
New Windsor, NY 12553



17-4-34

Ellen Holdsworth
16 Broad Street
New Windsor, NY 12553



20-1-6

Charles Denny Jr.
13 Broad Street
New Windsor, NY 12553



17-4-20

Leslie Anne Clark
4 Broad Street
New Windsor, NY 12553



17-4-35

Gloria & Leonard Palchus
2 Fanewood Drive
New Windsor, NY 12553



20-1-7

Elissa Zahn
11 Broad Street
New Windsor, NY 12553



17-4-21

Leonard Clemente
6 Broad Street
New Windsor, NY 12553



17-4-36

Richard & Lisa Marie Bonita
18 Broad Street
New Windsor, NY 12553



20-1-9

Anne O'Boy
7 Broad Street
New Windsor, NY 12553



17-4-22

Allen Biasi
240 Leslie Avenue
New Windsor, NY 12553



17-4-37

John & Melini Caldwell
20 Broad Street
New Windsor, NY 12553



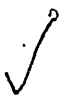
20-1-10

Paul & Lori Mott
5 Broad Street
New Windsor, NY 12553



17-4-23

Joseph & Lillian Monte
10 Broad Street
New Windsor, NY 12553



17-4-38

Robert & Dorothy Placek
26 Richardson Drive
Cornwall, NY 12518



20-1-11

Tracey Meyers
3 Broad Street
New Windsor, NY 12553



17-4-24

County of Orange
255-275 Main Street
Goshen, NY 10924



20-1-1

City School District of Newburgh
98 Grand Street
Newburgh, NY 12550



20-1-12

Edward Jr. & Elizabeth Kirwan
15 Queen Street
New Windsor, NY 12553



17-4-25

Irene Parisi
5 Fanewood Drive
New Windsor, NY 12553



20-1-2

Anna Mary White
21 Broad Street
New Windsor, NY 12553



20-1-13

Duane & Patricia Damanda
11 Queen Street
New Windsor, NY 12553



20-1-14 ✓
Helen Mihalco
7 Queen Street
New Windsor, NY 12553

20-1-23 ✓
Gordon & Neva Jamieson
9 Riverview Avenue
New Windsor, NY 12553

20-1-33 ✓
Roland Verdier
72 Silver Spring Road
New Windsor, NY 12553

20-1-15.1 ✓
Stephen Grieco
5 Queen Street
New Windsor, NY 12553

20-1-24 ✓
Gordon Baker & Elizabeth Fernandes
12 Riverview Avenue
New Windsor, NY 12553

20-1-34 ✓
Rodney & June Miller
74 Silver Spring Road
New Windsor, NY 12553

20-1-15.2 ✓
Michael Wicks & Nicole McNamee-Wicks
John McNamee
3 Queen Street
New Windsor, NY 12553

20-1-25 ✓
James & Edna Mae Rourk
10 Riverview Avenue
New Windsor, NY 12553

20-2-36 ✓
Ian Vanderessen
Box 367
Vails Gate, NY 12584

20-1-16 ✓
Barbara Coan
58 Silver Spring Road
New Windsor, NY 12553

20-1-26 ✓
Denis & Holly Parrington
8 Riverview Avenue
New Windsor, NY 12553

20-2-38 ✓
Presbyterian Church Cemetary
3124 NYS Rte 9W
New Windsor, NY 12553

20-1-17 ✓
Frances Stasio & Michael Petrocelli
62 Silver Spring Road
New Windsor, NY 12553

20-1-27 ✓
Jeffrey & Terry Rose
6 Riverview Avenue
New Windsor, NY 12553

20-1-18 ✓
Iraj & Linda Atrchi
64 Silver Spring Road
New Windsor, NY 12553

20-1-28 ✓
Christopher & Theresa Hinkson
4 Riverview Avenue
New Windsor, NY 12553

20-1-19 ✓
Anne Harris
1 Riverview Avenue
New Windsor, NY 12553

20-1-29 ✓
Lisa Calapa
2 Riverview Avenue
New Windsor, NY 12553

20-1-20 ✓
Gertrude Babcock
3 Riverview Avenue
New Windsor, NY 12553

20-1-30 ✓
Wade & Debra Comman
66 Silver Spring Road
New Windsor, NY 12553

20-1-21 ✓
Patrick & Darcy Kennedy
5 Riverview Avenue
New Windsor, NY 12553

20-1-31 ✓
George & Gladys Tibby
68 Silver Spring Road
New Windsor, NY 12553

20-1-22.22 ✓
William & Jennifer Donaldson
7 Riverview Avenue
New Windsor, NY 12553

20-1-32 ✓
William & Gladys Lawlor
C/o Lawlor
1845 N. Banana River Drive
Merritt Island, FL 32952

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

02-38.

Date: 07/03/02.

I. Applicant Information:

- (a) Tom Riley & Dana Backus 9 Broad St New Windsor (845) 569-9577
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) R-4 (Same as above) 20-1-8 65x130
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? None.
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 4/13/1998
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: _____

IV. Use Variance.

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow: _____
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes___ No___.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 18-12, Table of Use/Bulk Regs., Col. E.

| <u>Requirements</u> | <u>Proposed or Available</u> | <u>Variance Request</u> |
|-------------------------------|------------------------------|-------------------------|
| Min. Lot Area | | |
| Min. Lot Width | | |
| Reqd. Front Yd. <u>35 ft.</u> | <u>21 ft.</u> | <u>14 ft.</u> |
| Reqd. Side Yd. _____ | _____ | _____ |
| Reqd. Rear Yd. _____ | _____ | _____ |
| Reqd. Street Frontage* | _____ | _____ |
| Max. Bldg. Hgt. _____ | _____ | _____ |
| Min. Floor Area* _____ | _____ | _____ |
| Dev. Coverage* _____% | _____% | _____% |
| Floor Area Ratio** _____ | _____ | _____ |
| Parking Area _____ | _____ | _____ |

* Residential Districts only

** No-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law, Section _____, _____ Regs.

| | <u>Requirements</u> | <u>Proposed or Available</u> | <u>Variance Request</u> |
|--------|---------------------|------------------------------|-------------------------|
| Sign 1 | _____ | _____ | _____ |
| Sign | _____ | _____ | _____ |
| Sign 3 | _____ | _____ | _____ |
| Sign | _____ | _____ | _____ |
| | _____ | _____ | _____ |

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation: N/A

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$ 50.00 and the second check in the amount of \$ 300.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit..

Date: July 3, 2002.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

X Dennis Becker
(Applicant)

Sworn to before me this

3rd day of July, 2002
Patricia A. Corsetti

XI. ZBA Action:

(a) Public Hearing date: _____

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4964424
Qualified in Orange County
Commission Expires August 31, 2005.

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

Dena Beth Beecken,

TO

Dena Beth Beecken and
Thomas A. Riley,

SECTION 20 BLOCK 1 LOT 8

RECORD AND RETURN TO:

(name and address)

Ms. Dena Beth Beecken
Mr. Thomas A. Riley
9 Broad Street
New Windsor, NY 12553



THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED X MORTGAGE SATISFACTION ASSIGNMENT OTHER

PROPERTY LOCATION

___ 2089 BLOOMING GROVE (TN)
___ 2001 WASHINGTONVILLE (VLG)
___ 2289 CHESTER (TN)
___ 2201 CHESTER (VLG)
___ 2489 CORNWALL (TN)
___ 2401 CORNWALL (VLG)
___ 2600 CRAWFORD (TN)
___ 2800 DEERPARK (TN)
___ 3089 GOSHEN (TN)
___ 3001 GOSHEN (VLG)
___ 3003 FLORIDA (VLG)
___ 3005 CHESTER (VLG)
___ 3200 GREENVILLE (TN)
___ 3489 HAMPTONBURGH (TN)
___ 3401 MAYBROOK (VLG)
___ 3689 HIGHLANDS (TN)
___ 3601 HIGHLAND FALLS (VLG)
___ 3889 MINISINK (TN)
___ 3801 UNIONVILLE (VLG)
___ 4089 MONROE (TN)
___ 4001 MONROE (VLG)
___ 4003 HARRIMAN (VLG)
___ 4005 KIRYAS JOEL (VLG)

___ 4289 MONTGOMERY (TN)
___ 4201 MAYBROOK (VLG)
___ 4203 MONTGOMERY (VLG)
___ 4205 WALDEN (VLG)
___ 4489 MOUNT HOPE (TN)
___ 4401 OTISVILLE (VLG)
___ 4600 NEWBURGH (TN)
___ X 4800 NEW WINDSOR (TN)
___ 5089 TUXEDO (TN)
___ 5001 TUXEDO PARK (VLG)
___ 5200 WALLKILL (TN)
___ 5489 WARWICK (TN)
___ 5401 FLORIDA (VLG)
___ 5403 GREENWOOD LAKE (VLG)
___ 5405 WARWICK (VLG)
___ 5600 WAWAYANDA (TN)
___ 5889 WOODBURY (TN)
___ 5801 HARRIMAN (VLG)

CITIES

___ 0900 MIDDLETOWN
___ 1100 NEWBURGH
___ 1300 PORT JERVIS
___ 9999 HOLD

NO. PAGES 4 CROSS REF.
CERT. COPY ADD'L X-REF.
MAP# PGS.

PAYMENT TYPE: CHECK ✓
CASH
CHARGE
NO FEE

CONSIDERATION \$ 0
TAX EXEMPT

MORTGAGE AMT. \$
DATE

MORTGAGE TAX TYPE:

___ (A) COMMERCIAL/FULL 1%
___ (B) 1 OR 2 FAMILY
___ (C) UNDER \$10,000
___ (E) EXEMPT
___ (F) 3 TO 6 UNITS
___ (I) NAT.PERSON/CR. UNION
___ (J) NAT.PER-CR.UN/1 OR 2
___ (K) CONDO

Donna L. Benson

DONNA L. BENSON
ORANGE COUNTY CLERK

RECEIVED FROM:

Beecken

LIBER 5505 PAGE 31

LIBER 5505 PAGE 31

ORANGE COUNTY CLERKS OFFICE 23013 DAB
RECORDED/FILED 04/20/2001 11:41:58 AM

| | | | |
|-----------------------|---------------|-----------------------|-------------|
| FEES | 47.00 | EDUCATION FUND | 5.00 |
| SERIAL NUMBER: | 008582 | | |
| DEED CNTL NO | 55381 | RE TAX | .00 |

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York, County of Orange ss.:

On March 13, 2001 before me, the undersigned,
personally appeared Dena Beth Beecken

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Adeline M. Tagare
(signature and office of individual taking acknowledgment)

Notary Public, State of New York
No. 4920830

Qualified in Orange County
Commission Expires February 27, 2002

State of _____ County of _____ ss.:

On _____ before me, the undersigned,
personally appeared _____

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

(insert city or political subdivision and state or county or other place acknowledgment taken)

(signature and office of individual taking acknowledgment)

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No. _____

Dena Beth Beecken,

TO

Dena Beth Beecken and
Thomas A. Riley,

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS(ES)

State of _____ } ss.:
County of _____

On _____ before me, the undersigned,
personally appeared _____

the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number, if any, thereof);

that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

(☐ if taken outside New York State insert city or political subdivision and state or county or other place acknowledgment taken And that said subscribing witness(es) made such appearance before the undersigned in

(signature and office of individual taking acknowledgment)

SECTION 20

BLOCK 1

LOT 8

COUNTY OR TOWN T/New Windsor
Orange County

RETURN BY MAIL TO:

Ms. Dena Beecken
Mr. Thomas A. Riley
9 Broad Street
New Windsor, NY

Zip No. 12553

Reserve this space for use of Recording Office.

LIBER 5505 PAGE 33



T 691—Standard N.Y.B.T.U. Form 8002: Bargain & sale deed,
with covenant against grantor's acts—Ind. or Corp.: single sheet, 11-98

DISTRIBUTED BY **Blumberg** Excelsior, Inc.,
NYC 10013

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT — THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made on

March 13, 2001

BETWEEN Dena Beth Beecken, residing at 9 Broad Street, New Windsor, NY 12553

party of the first part, and

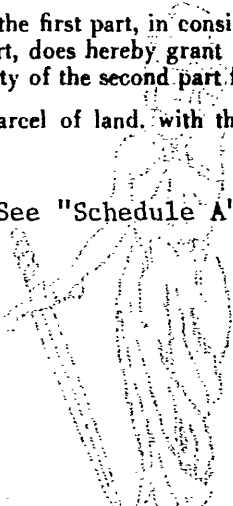
Dena Beth Beecken and Thomas A. Riley, residing at 9 Broad Street,
New Windsor, NY 12553, as joint tenants with the right of survivorship

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

See "Schedule A" attached hereto



TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


Dena Beth Beecken

"Schedule A"

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point said point being the intersection of the Westerly line of lands now or formerly Oboy (Liber 1714, page 114) with the Southerly line of Broad Street and running thence along said lands now or formerly Oboy South 40 degrees 43 minutes 00 seconds West 130.00 feet; thence along the Northerly line of Riverview Avenue and the Northerly line of lands now or formerly Dukas (Liber 1514, page 561) North 49 degrees 17 minutes 00 seconds West 65.00 feet; thence along lands now or formerly Vinci (Liber 1891, page 1147) North 40 degrees 43 minutes 00 seconds East 130.00 feet; thence along the Southerly line of Broad Street South 49 degrees 17 minutes 00 seconds East 65.00 feet to the point of beginning.

BEING and intended to be the same premises conveyed from Hilda Nauer to Dena Beth Beecken in deed dated 4/13/99 and recorded in the Orange County Clerk's Office on 4/21/99 in Liber 5042 at page 1.